

ORDINANCE NO. 12-31

ORDINANCE OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA, AMENDING THE FUTURE LAND USE MAP FROM MAJOR INSTITUTIONS TO COMMERCIAL; **PROPERTY LOCATED AT 6050 WEST 20 AVENUE, HIALEAH, FLORIDA, ZONED R-3-3 (MULTIPLE FAMILY DISTRICT);** REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING PENALTIES FOR VIOLATION HEREOF; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Board on April 4, 2012, recommend the proposed small scale amendment to the Future Land Use Map of the Hialeah, Fla., Comprehensive Plan to the Hialeah City Council; and

WHEREAS, the application qualifies as small scale development pursuant to section 163.3187(1)(c), Florida Statutes;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA, THAT:

Section 1: The Future Land Use Map is hereby amended from Major Institutions to Commercial. Property located at 6050 West 20 Avenue, Hialeah, Miami-Dade, Florida, zoned R-3-3 (Multiple Family District), and legally described as follows:

TRACT 8 IN THE NORTHEAST ¼ OF SECTION 34, TOWNSHIP 52 SOUTH, RANGE 40 EAST, CHAMBERS LAND COMPANY'S SUBDIVISION, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, AT PAGE 68, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, LESS THE EAST 190 FEET THEREOF.

Section 2: Repeal of Ordinances in Conflict.

All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 3: Penalties.

Any person, business, association, corporation, partnership or other legal entity who violates any of the provisions of this ordinance shall be assessed a civil penalty, up to a maximum of \$500.00, within the discretion of the court or administrative tribunal having jurisdiction. Each day that a violation continues shall constitute a separate violation.

Section 4: Severability Clause.

If any phrase, clause, sentence, paragraph or section of this ordinance shall be declared invalid or unconstitutional by the judgment or decree of a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this ordinance.

Section 5: Effective Date.

The effective date of this plan amendment shall be 31 days from the date passed by the City Council and signed by the Mayor or at the next regularly scheduled City Council meeting, if the Mayor's signature is withheld or if the City Council overrides the Mayor's veto. Unless the adoption of this plan amendment is challenged pursuant to Section 163.3187(5), then the effective date of this plan amendment shall be the date a final order is issued by the state land planning agency or Administration Commission finding the amendment in compliance in accordance with section 163.3184, Florida Statutes, whichever occurs earlier. No development

orders, development permits or land uses dependent on this amendment may be issued or commenced before it has become effective.

PASSED and ADOPTED this 22nd day of May, 2012.

THE FOREGOING ORDINANCE
OF THE CITY OF HIALEAH WAS
PUBLISHED IN ACCORDANCE
WITH THE PROVISIONS OF
FLORIDA STATUTE 166.041
PRIOR TO FINAL READING.



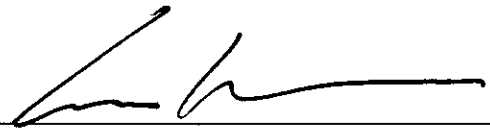
Isis Garcia-Martinez
Council President

Attest:

Approved on this 8 day of June, 2012.

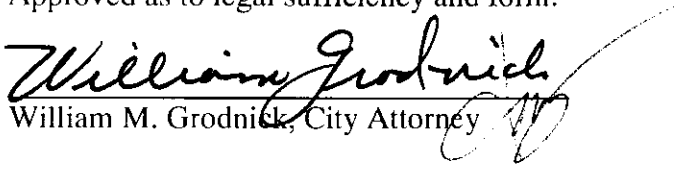


David Concepcion, City Clerk



Mayor Carlos Hernandez

Approved as to legal sufficiency and form:



William M. Grodnick, City Attorney

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Ordinance was adopted by a unanimous vote with Councilmembers,
Caragol, Casals-Muñoz, Cue-Fuente, Garcia-Martinez, Gonzalez,
Hernandez and Lozano voting "Yes".